

## AGENDA MEMO

**CITY COUNCIL MEETING DATE: JULY 12, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-10126 - APPLICANT/OWNER: GREAT MALL OF LAS VEGAS, LLC**

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### **\*\* CONDITIONS \*\***

The Planning Commission (3-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

#### **Planning and Development**

1. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-11449) and Special Use Permit (SUP-11444) shall be required. If the companion Variance (VAR-13505) is denied, the site plan must be revised to comply with the 20 percent open space standard in Title 19.06.110.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations date stamped 04/11/06 and the open space plan dated 05/16/06, except as amended by conditions herein.
4. All development shall be in conformance with the Montecito Development Agreement, the Montecito Town Center Land Use and Design Standards, and the Town Center Development Standards Manual, except as amended by conditions herein.
5. Map this site according to the recommendations of the City Surveyor prior to obtaining permits for any development on this site.
6. A Waiver of Town Center Edge Zone, Main Transition Zone, and Town Center Core building height, setback and build-to-line requirements is hereby approved.
7. A Waiver of Town Center building setback requirements adjacent to Grand Montecito Parkway, Deer Springs Way and Oso Blanca Road is hereby approved.
8. A revised site plan shall be submitted to and approved by the Planning and Development and Public Works Departments, prior to the time application is made for a building permit, to reflect the changes herein. The revised plan shall also show an 80-foot width for Oso Blanca Road. The location of all trash enclosures shall be indicated. Four additional loading spaces shall be added in accordance with Title 19.10. If modification of the

revised site plan constitutes a Major Amendment to an approved Site Plan, as detailed in Title 19.18.050(H), then the revised plan shall be processed in the same manner as a new Site Development Plan application.

9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include street sections showing required landscaping for Grand Montecito Parkway, Deer Springs Way, and Oso Blanca Road, including all medians and amenity zones. Separate cross sections shall be shown for streets with a special design. Per Town Center Standards, a landscape trail shall be included on Oso Blanca Road in lieu of a sidewalk.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
12. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
13. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
14. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. A Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

17. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
18. Prospective buyers shall be informed that views may be obscured by future adjacent development and this information shall be included in project CC&Rs.
19. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

21. Submit a Petition of Vacation for Deer Springs Drive adjacent to Assessor's Parcel Number 125-20-601-003, Doe Brook Trail and all portions of Grand Montecito Parkway north of the centerline of Deer Springs Way and south of the centerline of Wittig Avenue; the Order of Vacation shall be recorded concurrently with the dedication for the new alignment of Grand Montecito Parkway. If a Petition of Vacation is not approved, this site plan shall be rendered "Null and Void".
22. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary; comply with the recommendations of the City Surveyor.
23. Dedicate all portions of right-of-way for the new alignment of Grand Montecito Parkway, including appropriate radii and turn lanes acceptable to the City Engineer. Dedicate appropriate right-of-way adjacent to the entire legal parcel comprising this site for Deer Springs Way where right-of-way does not exist, including all corresponding radii, at a location and width acceptable to the City Engineer. Also dedicate an additional 10-feet of right of way for a total width of 80 feet adjacent to this site for Oso Blanca Road (frontage road). Additional rights-of-way for bus turn-outs, dual left turn lanes and free-right turn lanes shall also be dedicated unless specifically not required in the approved Traffic Impact Analysis. Dedicate all rights-of-way prior to the issuance of any permits for this site.
24. Coordinate with the City Engineer to determine construction requirements for Deer Springs Way and Doe Brook Trail prior to the submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. Construct full width street improvements meeting Town Center Standards, a minimum of 2 lanes in each direction, including appropriate transition paving, on Oso Blanca Road (frontage Road) concurrent with development of this site. Construct full width street improvements for Grand Montecito Parkway concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal

system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

25. A minimum of two lanes of asphalt pavement on the major access streets adjacent and through this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the property line and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the property line and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
26. An update to the Montecito Master Sewer Plan must be submitted to and approved by the Collection Systems Planning Section of the Department of Public Works prior to the issuance of any permits, submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. Comply with the recommendations of the approved update to the Master Sewer Plan prior to occupancy of the site. Relocate the existing 10-inch sewer line along the old Durango alignment concurrent with development. If not already in place at the time of development, extend sewer in Grand Montecito Parkway to the northern edge of this site concurrent with development and also replace the existing sewer crossing in Grand Montecito Parkway at the intersection with I 215 to an 18-inch diameter; all sewer construction shall be at locations and depths acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
27. An update to the Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also address the possible signalization of the westerly driveway on Deer Springs Way and the possible signalization of Deer Springs Way and the Oso Blanca Road (frontage road) intersection. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All

additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

28. Coordinate with and receive approval from the City Traffic Engineer for all traffic signal locations for this site prior to the submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. The northern driveway on Grand Montecito Parkway shall not be signalized at the location shown; coordinate with City Traffic Engineer and/or the City of Las Vegas Office of Architectural Services regarding access to the park that is adjacent to the northern edge of this site.
29. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a. All driveway locations and driveway design, including throat depth, shall be approved by the City Traffic Engineer prior to the submittal of any construction drawings or the submittal of a map for this site, whichever may occur first. The driveways accessing the Frontage Road shall also receive approval from the Nevada Department of Transportation.
30. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
31. Concurrent with development of this site, extend the existing storm drain facility in Dorrell Lane from Grand Montecito Parkway to tie into US Highway 95.

32. All private improvements, including landscaping, installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
33. Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. Any area created by realigning and connecting Deer Springs Way to Oso Blanca Road (frontage road) that is not being utilized for parking or buildings shall be landscaped and maintained by applicant.
34. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located within the public rights-of-way adjacent to this site prior to occupancy of this site.
35. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Oso Blanca Road (frontage road) public right of way adjacent to this site prior to the issuance of any permits.
36. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
37. Provide the following traffic mitigation measures unless allowed otherwise by the City Traffic Engineer;

Provide additional rights-of-way for left and exclusive right turn lanes as required by Clark County Area Standard Drawing 201.1 and area for dual turns as needed at Deer Springs Way and Doe Brook Trail including the area needed for dual left turn lanes, Deer Springs Way and Oso Blanca Road (Frontage Road), and at Deer Springs Way and Grand Montecito Parkway including the area needed for dual left turn lanes and additional right turn lanes on all legs. Also provide additional rights-of-way for Grand Montecito Parkway and/or area on-site at the driveways including the area needed for dual left turn lanes and additional right turn lanes on all legs as required by the City of Las Vegas Traffic Engineering.

Provide additional rights-of-way and/or easements for bus turnouts as required by Clark County Area Standard Drawing 234.2 and 234.1 or 234.3 on the east side of Grand Montecito Parkway north of Deer Springs Way, the north side of Deer Springs west of Oso Blanca Road (Frontage Road), the north side of Deer Springs west of Doe Brook Trail, the north side of Deer Springs west Grand Montecito Parkway, on the east side of Grand Montecito Parkway north of the center driveway, and on the west side of Grand Montecito Parkway south of the center driveway

The developer shall construct signals on the intersection of Deer Springs Way at Doe Brook Trail and the site driveway and on the intersection of the center driveway at Grand Montecito. The developer shall also participate in the construction of a signal on the intersection of Grand Montecito Parkway at the shared driveway for the park adjacent to the north and this site.



Deer Springs shall be constructed with a minimum of two lanes each direction from Doe Brook Trail to Oso Blanca Road (Frontage Road).

All Signalized driveways shall have a minimum of two ingressing and three egressing lanes and a minimum throat depth of 250 feet. All other driveways shall have a minimum throat depth of 150 feet.

All unsignalized driveways allowing left turns shall have a minimum of two ingressing and two egressing lanes.

The geometric design of all driveways shall be approved by the City Traffic Engineer prior to approval of civil drawings or the issuance of any permits as determined by the City Traffic Engineer.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a proposed 1,575,000 gross square-foot mixed-use Regional Mall with 900 residential units and Waivers of Town Center Edge Zone, Main Transition Zone, and Town Center Core building height, stepback and build-to-line requirements, and Town Center setback requirements on 49.82 acres at the northeast corner of Grand Montecito Parkway and Deer Springs Way. A Major Modification (MOD-11449), Special Use Permit (SUP-11444) and Variance (VAR-13505) accompany this request.

**EXECUTIVE SUMMARY**

The subject development will provide a second regional retail center for Northwest Las Vegas. Mixed-use development is appropriate for the area, which is adjacent to a city park, proposed medical center and U.S. Highway 95. This is a unique site in that it is part of two distinct planning areas with differing standards: Montecito Town Center and the Centennial Hills Town Center. The site's proximity to existing single-family residential development is another difficulty. Buildings were located on the site to allow for buffering of the proposed uses from existing residential development, and setbacks and height conform to Residential Adjacency Standards. In order to approve the plan as proposed, several Town Center standards require waivers. In each case, the location of the buildings and the additional buffers provided are adequate justification for recommending approval. It is recommended that this development be approved, with the condition that if the accompanying open space Variance is denied, that the site be redesigned to accommodate the required minimum 20 percent.

**BACKGROUND INFORMATION**

***A) Related Actions***

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|----------|---|
| 12/07/98 | The City Council approved a Rezoning (Z-0076-98) to T-C (Town Center) of a 1,468-acre portion of northwest Las Vegas, including the subject site. The Planning Commission and staff recommended approval. |
| 11/07/01 | The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed Use - Town Center).   |



- 03/06/02 The City Council approved a Development Agreement (DA-0002-01) between the City of Las Vegas and Montecito Town Center, LLC to establish standards for the 172-acre area within the Centennial Hills Town Center known as Montecito Town Center. The Planning Commission and staff recommended approval.
- 04/07/04 The City Council approved a Major Modification (MOD-3735) to the Montecito Development Agreement to add 10 acres to the plan at the southeast corner of Deer Springs Way and Grand Montecito Parkway. Also approved were a Special Use Permit (SUP-3503) for a gated subdivision with private streets and a Site Development Plan Review (SDR-3505) for a proposed 96-lot single-family residential development on the 10-acre site. This site is directly south of the subject property.
- 12/01/04 The City Council approved a Major Modification (MOD-5497) of the Town Center Land Use Plan to change the land use designation from MS-TC (Main Street Mixed Use – Town Center) to GC-TC (General Commercial – Town Center) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95. The Planning Commission and staff recommended approval.
- 06/01/05 A request to amend the Master Plan of Streets and Highways to realign a portion of Grand Montecito Parkway between Dorrell Lane and Deer Springs Way was Withdrawn Without Prejudice by the City Council.
- 05/25/06 The Planning Commission held this item in abeyance to the 06/08/06 PC meeting to allow the applicant additional time to discuss and resolve access and traffic issues with the Department of Public Works
- 06/07/06 The City Council approved a General Plan Amendment (GPA-12273) to amend Map 2 and Map 6 of the Transportation Trails Element of the Las Vegas 2020 Master Plan to delete one Transportation Trail Alignment and revise two other alignments from Transportation Trails to Pedestrian Paths. The Planning Commission and staff recommended approval.
- 06/08/06 The Planning Commission recommended denial of companion items MOD-11449, VAR-13505 and SUP-11444 concurrently with this application.
- 06/08/06 The Planning Commission voted 3-3/se, bg, sd to recommend DENIAL (PC Agenda Item #27/ss).

***B) Pre-Application Meeting***

- 10/06/05 A neighborhood meeting will be required for this project. The Doe Brook right-of-way, which bisects the property, was discussed. Traffic signals must be in operation prior to opening of the mall. A right turn lane must be provided at

Montecito Parkway and Deer Springs Way. The floor area ratio cap in the Montecito Town Center portion was discussed, as well as required open space. Streets will be designed to meet Town Center standards. A parking analysis will be required. Other issues included walls on the west side of Grand Montecito Parkway, signage, and landscaping.

- 11/21/05 Guidelines were given for submittal of Major Modification, Special Use Permit, and Site Development Plan Review applications for review. Applications should be updated as appropriate. The applicant was asked to clarify the site plan to show which part is located within the GC-TC District, and to provide an update of the current number of residential units in the Montecito area. The vicinity map should show how major streets will be able to get to the project site. Cross sections of Grand Montecito Parkway should be provided showing the proposed parking structure.

***C) Neighborhood Meetings***

- 02/28/06 Over 150 members of the public were in attendance. Comments and concerns included the following:

- The Town Center portion should be two stories, and all high-rise development should be planned in the Montecito portion.
- Concerns about traffic in the area
- Issues with proposed bus stop
- There was a concern that the project was too large.
- A park should be located closer to the Timberlake area.

- 05/16/06 A second meeting was held at Santa Fe Station and was attended by 39 citizens. Representatives of the applicant told those gathered that if approved, the mall would break ground in April 2007, with the two anchors opening by 2008. The mall is to be three stories. The condominiums would be located in two 15-story towers, a point of concern for the neighbors. Residents also wanted to know about the size of the project, potential tenants, parking, gathering areas, where offices would be located, and weekend construction. Concerns from the public that could potentially become conditions of approval included the following:

- Security lighting – wanted minimum standards; no 30 foot poles
- Will exceed minimum landscape all around
- Bus stop & shuttle built by applicant
- Towers will follow 12 months behind mall
- Residents want retail kiosks in outside area
- Parking structure mesh wall to mitigate sound & light
- North-south parking trail
- Parking within the “lifestyle center” entrance

## **DETAILS OF APPLICATION REQUEST**

### **A) *Site Area***

Gross Acres: 49.82

### **B) *Existing Land Use***

Subject Property: Undeveloped  
North: Public Park (Mountain Ridge Park)  
South: Single Family Residential  
East: U.S. Highway 95  
West: Undeveloped

### **C) *Planned Land Use***

Subject Property: GC-TC (General Commercial – Town Center)  
MS-TC (Main Street Mixed Use – Town Center)  
North: PF-TC (Public Facilities – Town Center)  
South: MS-TC (Main Street Mixed Use – Town Center)  
L-TC (Low Density Residential – Town Center)  
East: ROW (Right-of-Way)  
West: MS-TC (Main Street Mixed Use – Town Center)

### **D) *Existing Zoning***

Subject Property: T-C (Town Center)  
North: T-C (Town Center)  
South: T-C (Town Center)  
East: T-C (Town Center)  
West: T-C (Town Center)

### **E) *General Plan Compliance***

The subject site is designated TC (Town Center) on the Centennial Hills Interlocal Land Use Map in the Centennial Hills Sector Plan of the City's Master Plan. This category is intended to be the principal employment center for the Northwest and is a mixed-use development category. The mix of uses can include mall facilities, high-density residential uses, planned business, office and industrial parks and recreational uses, as compatibility allows. The existing T-C (Town Center) Zoning District conforms to the TC (Town Center) Master Plan land use designation, and the range of office, retail and high density residential uses also conforms to the TC designation.

Although the western portion of the site is designated as MS-TC (Main Street Mixed Use - Town Center) in the Town Center Development Standards Manual, the provisions of the Montecito Town Center Development Agreement supersede regulations associated with Town Center, unless the Agreement is silent on a particular issue.

The Montecito Development Agreement, approved on March 6, 2002, fulfills the requirement for a development agreement in the Town Center Development Standards Manual. In the Montecito Development Agreement, the site is identified as "Montecito Town Center Mixed Use Commercial" on Figure 3 of that document. Within the Montecito Town Center Development Agreement, the Montecito Town Center Mixed Use Commercial area is further divided into six "Activity Areas". Although these Activity Areas are not specifically identified on a map or in the text of the Agreement, the western portion of the proposed regional mall project would conform to the requirements of the "Regional Center" Activity Area, by providing retail, office and service uses that will provide significant levels of employment in the area. The project also includes a significant housing element that would belong to the "High Density Residential" Activity Area. As a result, the proposed regional mall development complies with the relevant land use regulations.

## **INTERAGENCY ISSUES**

Pursuant to Ordinance 5227 and in accordance with NRS Chapter 481, the proposed project is deemed to be a "Project of Significant Impact" because it proposes a commercial or industrial facility that will generate more than 3,000 average daily trips.

An Environmental Impact Assessment questionnaire was circulated to the affected Agencies and Entities for the mandated 15-day period. A summary of the comments received, including recommendation for mitigation measures is as follows:

- 1) The Las Vegas Valley Water District determined that the proposed project will not have a significant impact on the capacity of the District's water supply system.
- 2) The Sanitary Sewer Planning Section of the Department of Public Works requires an update to the Montecito Town Center Sewer Master Plan to identify residential units in this area. The 10-inch sewer in the existing "old" Durango alignment shall be relocated. If not already constructed, the sewer in Grand Montecito Parkway shall be extended to the northern edge of the development, and the sewer crossing in Grand Montecito Parkway at I-215 shall be improved to 18-inch.
- 3) The Flood Control Section of the Department of Public Works requires a technical drainage study regarding the subject project to address and mitigate the drainage impact to the vicinity areas. The drainage study must be prepared by a Nevada registered civil engineer and submitted to City of Las Vegas Flood Control Division for review and approval.
- 4) The Las Vegas Metropolitan Police Department is concerned that the proposed number of residential units will potentially increase the number of calls for service, thereby increasing response times in the area. The commercial portion of the project will also generate a number of calls that may increase response times in the area. The Department also wishes to be involved in the required Development Agreement process.

The Planning Commission shall consider the Environmental Impact Assessment and the proposed mitigation measures prior to making a decision on the proposal.

## **PROJECT DESCRIPTION**

The proposal is a mixed-use development consisting of a regional shopping mall that includes both office and retail, a theater complex, residential lofts, and enclosed recreational area; high-rise condominiums; and open space. The facility is accessed from two entrances at Deer Springs Way and three entrances at Grand Montecito Parkway, the alignment of which will be altered slightly to accommodate the project.

The mall area will be dominated by two large anchor retail stores. Retail areas will be located primarily on the first and second floors, with a Food Court, offices, and a 70,000 square-foot theater on the third floor. An additional 16,000 square feet is reserved for an enclosed park, with the remaining area designated as common area. Surface parking is located along Deer Springs Way and Grand Montecito Parkway, as well as grade level entrances to two-story parking decks. A valet parking area will be available at the center of the project, with direct access to the retail portion.

A total of 900 condominium units is proposed within two 15-story towers located along the north and east boundaries of the site and in two four-story extensions to the mall. Each condominium tower has one subterranean parking level and five above-ground parking levels. As the towers are attached to the parking structures, the total height of the buildings is 21 stories. The towers are not adjacent to any residential area and are approximately 840 feet from the nearest single-family residential property. The four-story lofts are located above retail shops near the center of the project.

The perimeter is heavily landscaped for screening along Deer Springs Way adjacent to existing residential development. A 15-foot buffer continues around the east and west sides of the project site, with a 10-foot buffer along the north side adjacent to Mountain Ridge Park. Landscaping fingers are provided in the grade level parking areas. Eight pedestrian plazas similar to the Pedestrian Gateways described in the Town Center Development Standards Manual are located at various entry points to the site. These areas are well landscaped.

## **ANALYSIS**

### ***A) Zoning Code Compliance***

#### **A1) Development Standards**

Development Standards for projects located within the Montecito Town Center Master Development Plan area are set out in the Development Agreement and Sections 3 through 5 of the Montecito Town Center Land Use and Design

Standards Appendix to the Development Agreement. Development Standards within the remainder of the project are set forth in the Town Center Development Standards Manual. The following Development Standards are proposed for the subject project:

*Montecito Town Center*

The Montecito Development Agreement limits the amount of office, medical, retail and/or hotel floor area in Montecito Town Center to 4,520,833 square feet and the number of residential dwelling units to 1,808. The Montecito portion of the proposed project will bring the total of all existing and proposed office, medical, retail and hotel space to 2,114,494 square feet and the number of residential units to 1,135. In both cases, the Montecito area stays well under the required caps.

Setbacks are based on the standards for the Loop Road, Town Center Arterial, and Town Center Tertiary street classifications as set forth in the Town Center Development Standards Manual. Setbacks within the Montecito Town Center Plan shall meet or exceed the standards shown in the Town Center Development Standards Manual. Grand Montecito Parkway is designated a Town Center Loop Road, with a maximum building setback of 15 feet. The west parking deck is set back 20 feet and the retail portion of the mall is set back 206 feet. A Waiver is required to allow these larger setbacks. Deer Springs Way west of Catalina Village Street is designated a Town Center Arterial Street with a maximum setback of 15 feet. Deer Springs Way east of Catalina Village Street is classified a Town Center Tertiary Street, with no required setback.

The lot coverage standard is a maximum of 60 percent of the gross site area. The site plans indicate 32 percent coverage, based on net acreage. Given this figure, the gross lot coverage standard will be satisfied.

According to the Montecito Development Agreement, buildings within the plan area shall not exceed 500 feet in height. High density residential buildings shall not exceed 12 stories or 150 feet without Special Use Permit approval. The residential portion is proposed to reach 21 stories and 250 feet above grade. A Special Use Permit has been submitted to allow the additional height. Other buildings meet the height standard.

Service areas, docks and truck loading areas shall be screened and located away from public view by a six-foot masonry wall. Trash enclosures shall be enclosed on three sides by a six-foot masonry wall, have an opaque gate on the fourth side, and contain a roof or trellis. Trash enclosures are not indicated on the site plan.

Project entries are highlighted on the site plan as required by the Montecito Town Center Land Use and Design Standards. Six geometric entry features, including landscaping, are shown.

*Town Center Development Standards*

The applicant has submitted a Major Modification of the Town Center Land Use Plan to amend the land use from GC-TC (General Commercial – Town Center) to UC-TC (Urban Center Mixed Use – Town Center) to allow for mixed-use development. This item will be heard concurrently with this Site Development Plan Review. Standards related to the UC-TC District will be considered as part of the review.

Setbacks generally do not conform to the Frontage Road street classification standards. The setback requirement is 0-15 feet, and buildings are set back from 5 to 46 feet to allow for a private service road. A Waiver is necessary to allow greater setbacks. There is no setback requirement for the Town Center Tertiary classification.

Buildings within the Town Center Edge Zone, Main Transition Zone and Town Center Core areas as described in the Town Center Development Standards Manual are subject to height, stepback and build-to line standards. A Special Use Permit has been submitted to allow the residential buildings to exceed the 12-story height maximum standard within these areas. In addition, high density residential development in mixed-use developments may not locate within 330 feet of single-family dwellings. A Waiver has been submitted with the Special Use Permit request to exceed 12 stories.

*Common Standards*

Standards for setbacks, parking, streetscapes, landscaping, lighting, walls, site furnishings and signage are the same for both Montecito Town Center and the Town Center area as a whole. Street design standards are not clearly defined for portions of Deer Springs Way and Oso Blanca Road; an agreement was reached for a modified design for these streets, and the requirements are set forth as conditions of approval.

Stepback and build-to line requirements are set forth in the Town Center Development Standards Manual. The development encompasses the Town Center Edge Zone, Main Transition Zone and Town Center Core areas as described in Section D.1.C.



<b>Zone</b>	<b>Build-to ratio</b>	<b>Height</b>	<b>Stepback</b>	<b>Proposed</b>
Edge	60 %	2 stories	Second story/min. 8 feet	Maximum 4 stories with no stepback, oriented to Oso Blanca Road
Main Transition	70 %	3 stories	Third story/min. 8 feet	Maximum 21 stories with no stepback, oriented to City park
Core	80 %	5 stories	Third story/min. 8 feet & Fifth story/min. 4 feet	Maximum 3 stories with no stepback, oriented to City park

Waivers are required from these Town Center standards. Further explanation is given in the “Waivers” section below.

A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to the subject proposal:

- a) Proximity slope. The Proximity Slope component of the Residential Adjacency Standards is met by the proposal. The tallest building (at 250 feet above grade) must be setback at least 750 feet from the adjacent single-family residential property lines to the south. This building is set back approximately 840 feet from the nearest residential property line. Other buildings fall under the required 3:1 Proximity Slope.
- b) Building setback. The building setback component of the Residential Adjacency Standards is met by the proposal.

A3) Parking and Traffic Standards

Pursuant to the Montecito Town Center Development Standards and Town Center Development Standards, the following Parking Standards apply to the subject proposal:

Uses	Units/GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Condo-miniums:						
1 BR	300	1.25/unit	375			
2 BR	498	1.75/unit	872			
3 BR	102	2.00/unit	204			
Guest spaces	900	1/6 units	150			
<b>Subtotal</b>	<b>900</b>		<b>1,601</b>	<b>N/A</b>	<b>1606</b>	<b>70</b>
Office	200,000 SF	1/300 SF	667			
Retail (includes common areas)	1,235,000 SF	1/250 SF	4,940			
Food Service	50,000 SF	1/50 SF public (20,000 SF) + 1/200 SF remaining	550			
Movie Theater	70,000 SF/2,000 seats	1/4 seats + 1/employee (10)	510			
<b>Subtotal</b>	<b>1,555,000 SF</b>		<b>6,590</b>	<b>77</b>	<b>6,474</b>	<b>159</b>
<b>TOTAL</b>			<b>8,268</b>		<b>8,309</b>	

### Loading Spaces

Retail/Food Service SF	Spaces Required	Spaces Provided	Complies
1,080,000 SF	14	10	N

The Town Center Development Standards Manual refers to Title 19.10 for parking standards based on use. Based on these standards, the amount of parking exceeds the required number of spaces. However, the site provides 10 loading spaces where 14 spaces is the minimum required. A condition of approval will require the provision of four additional spaces to meet this standard.

It is anticipated that two of the three entrances to the property from Grand Montecito Parkway will be signalized. Two access points from the Frontage Road are provided, and two from Deer Springs Way. The applicant has met with nearby residents to mitigate cut-through traffic on Doe Brook Trail. The design and circulation pattern shown on the site plan reflect the agreement made with the neighbors (Alternative 'D – Modified').

A4) Landscape and Open Space Standards

Landscape standards in both Montecito Town Center and the entire Town Center area must conform to the standards set forth in the Town Center Development Standards Manual, except where special street designs are established. Grand Montecito Parkway shall conform to Loop Road landscaping standards. Deer Springs Way from Grand Montecito Parkway to Catalina Village Street shall conform to Town Center Arterial landscaping standards. Streets having a special design will have modified standards according to the submitted plans, if approved.

Standards	Required		Provided	Complies
	Ratio	Trees		
Parking Area	1 Tree/6 Spaces	189 Trees	216 Trees	Y
• Min. Zone Width (Grand Montecito)	15 Feet		15 Feet	Y
• Min. Zone Width (Deer Spings)	0 Feet		15 Feet	Y
• Min. Zone Width (Oso Blanca)	0 Feet		15 Feet	Y
• Wall height	Not required		None	N/A

Trees are required in the uncovered grade-level parking areas only (excluding parking decks). The conceptual landscape plan does not show all of the required landscaping; however, the applicant has indicated that the project will comply with all required standards. A revised landscape plan is required as a condition of approval.

Landscape materials within the Montecito portion must adhere to the Montecito Town Center Plant Palette (Appendix B of the Standards).

Pursuant to the Montecito Development Standards, Title 19.06.110 and the Town Center Development Standards Manual, the following Open Space Standards apply to the subject proposal:

Plan Area	Acres	Required			Provided	
		Ratio	Percent	Area	Percent	Area
Montecito	27.44 net acres	N/A	12 %	3.29 acres or 143,412 SF	17.4 %	4.78 acres or 208,020 SF
Town Center	24.91 acres	N/A	20 %	4.98 acres or 217,016 SF	16.2 %	4.04 acres or 175,965 SF

The proposal meets the 12 percent open space standard in the Montecito Plan and is short of meeting the 20 percent open space requirement in Title 19 and the Town Center Development Standards Manual. Open space within the Town Center area is a percentage of the gross area to be developed. A Variance (VAR-13505) has been submitted to allow the reduced amount of open space. If this item is ultimately denied, the project must be redesigned to account for at least 20 percent of open space in order to meet Title 19 standards.

A5) Sign Standards

A Master Sign Plan will be required to be submitted to detail signage proposals for the site. As required by both the Montecito Town Center and Town Center Development Standards, the Centennial Hills Architectural Review Committee will review the signage submittal when completed. A condition of approval references the requirement for the Master Sign Plan on this site.

***B) General Analysis and Discussion***

- Zoning

The subject site is currently zoned T-C (Town Center) with a GC-TC (Urban Center Mixed Use - Town Center) General Plan designation on the triangular east portion of the overall site and a MS-TC (Main Street Mixed Use - Town Center) designation on the west portion of the overall site. While these designations have been applied through the Centennial Hills Sector Plan of the General Plan and are reflected in the Town Center Development Standards Manual, the MS-TC land use designation is superseded by the Montecito Town Center Master Development Plan, which designates that area as a portion of the “Montecito Town Center Mixed Use Commercial Area.” Where the Montecito Town Center Land Use and Design Standards are silent, the Town Center Development Standards Manual applies.

- Site Plan

The submitted site plan complies with specific Montecito Standards. Town Center height, setback, stepback and build-to-line standards require waivers and approval of a Special Use Permit. The development is compatible with the surrounding area, and buildings were oriented to allow for buffering of the proposed uses from existing residential development. Vacation of a portion of Deer Springs Way, Doe Brook Trail north of Deer Springs Way, and Grand Montecito Parkway north of the centerline of Deer Springs Way and south of the centerline of Wittig Avenue is required at the time the new Grand Montecito Parkway alignment is dedicated. In addition, the site must be remapped to eliminate existing lot lines that cross the proposed building area. There is a lack of some required open space on the Town Center portion. As the recommendation is for denial of the accompanying Variance to reduce the required

amount, the site plan must be revised to provide the 20 percent minimum if this Variance is denied by the City Council.

- **Waivers**

The applicant has asked for Waivers of the following standards:

**Setbacks.** In each case, the building setbacks exceed the maximum requirement to keep the development as far away from existing residential dwellings as possible. The request is acceptable, as it allows for the necessary buffering and required adjacency setbacks from residential development.

**Stepbacks.** The buildings rise in a single vertical plane, rather than step back every second or third story as required by the Town Center Development Standards. The Waiver is justified, as the condominium towers are located adjacent to a large public park and a major freeway, where the appearance of high rise buildings will not have a negative effect.

**Building Height.** Within each of the designated zones in proximity to the Timberlake residential development, a height restriction ranging from two to five stories is required. Buildings with a height of up to 21 stories is proposed. Again, in this case the proposed condominium towers meet Residential Adjacency Standards and are located on the property such that effects to Timberlake and neighboring residential areas will be minimized. Therefore, the waiver is acceptable.

**Build-to-line Requirements.** Town Center requires up to 80 percent of the building edge within the Edge, Main Transition, and Core Zones to be built to the setback lines. The requirements are intended to provide visually interesting building elevations, reduce street canyon effect, and lessen the effect of strong winds at street level. This particular development, despite the two high rise towers, does not have this effect, as the buildings are located at the rear of the property next to open space and away from public streets. Buildings at the rear of the project are aligned to form an aesthetically appealing edge. For these reasons, the waiver can be approved.

- **Landscape Plan**

Landscaping generally conforms to Town Center requirements. A difficulty was raised by the introduction of special street designs along Deer Springs Way and Oso Blanca Road. Details of the designs were being finalized during the site review process, which affected the accuracy of the conceptual landscape plan. For these streets, the Town Center Development Standards Manual should be followed as closely as possible, but the approved landscape plan will dictate the final requirements. To ensure proper review, the technical landscape plan shall include street sections showing required landscaping for Grand Montecito Parkway, Deer Springs Way, and Oso Blanca Road, including all medians and amenity zones. Separate cross sections

shall be shown for streets with a special design. Per Town Center Standards, a landscape trail shall be included on Oso Blanca Road in lieu of a sidewalk.

- Elevation

The mall portion of the project will be enclosed, except for the plaza area between the two shops/loft buildings. Grading differences result in subterranean and above grade parking structures that connect to the mall and residential buildings at multiple levels. The elevations depict an EIFS (exterior insulation and finish system) clad development utilizing a color scheme with variations of gray, brown, green and red. Tinted and insulated glass will be used for window treatments and skylights. The center of the mall is to be topped by a metal clad dome.

- Floor Plan

Floor plans depict each level of the parking and building areas. Retail areas are located beneath the residential lofts and on the first and second floors of the mall. A cinema and offices, as well as a food court, will be located on the third level.

Residential floor plans depict one, two and three bedroom units that are similar on each level.

## FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **“The proposed development is compatible with adjacent development and development in the area;”**

The proposed mixed-use development fits in with the existing suburban-style surroundings in that the retail area is expansive and sprawling, and the residential towers are located such that the effect of an urban project is lessened. The buildings are set back to meet Residential Adjacency Standards and to reduce the negative effects of height to the existing residential areas to the south. The development is compatible with nearby land uses, which include a city park to the north, multi-story hospital to the west, and U.S. Highway 95 to the east.

2. **“The proposed development is consistent with the General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards;”**

The proposed development is consistent with the design requirements of the Montecito Town Center Master Development Plan and generally meets the design standards of Town Center. Waivers of building height, setback, stepback and build-to-line requirements are required, but can be justified, given the context of the development in the surrounding uses. A Variance for reduction of required open space is required on the Town Center portion of the project that could affect site layout if denied.

**3. “Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;”**

The site is served by Grand Montecito Parkway, a proposed 90-foot Loop Road; Deer Springs Way, a proposed Town Center Arterial and Tertiary Road with varying widths; and Oso Blanca Road, a proposed 80-foot Frontage Road. Some of the streets are not clearly defined by the standards; they have been engineered with oversight from the Department of Public Works, as is permitted by the Town Center Development Standards. When completed, these roadways will provide adequate access to the subject site. There are some concerns about traffic affecting residents of the neighborhoods south of the project, as there is already limited access to these homes. Signals are planned at major intersections to control traffic flow.

**4. “Building and landscape materials are appropriate for the areas and for the City;”**

Building materials and colors meet the design requirements of the Montecito Town Center Master Development Plan and the Town Center Development Standards Manual. Mexican Fan Palms are required planting materials in medians and amenity zones along Grand Montecito Parkway. Otherwise, the landscape materials as presented are appropriate for this area. They should meet the approved Montecito Town Center Plant Palette.

**5. “Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;”**

This project should be harmonious with existing and future development in the area. It will provide a focal point for development in the Town Center and Montecito Town Center areas.

**6. “Appropriate measures are taken to secure and protect the public health, safety and general welfare.”**

The proposed mixed-use development will be subject to regular City and County inspections for licensing and will therefore not compromise the public health, safety, and welfare.



**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 218 by Planning Department

**APPROVALS** 0

**PROTESTS** 0